



September 22, 2021

By Electronic Filing

The Hon. Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey
Southern District of New York, Case No. 1:20-cv-09586 (LAK)
Motion to Seal Letter From London Metropolitan Police Force

Dear Judge Kaplan:

As Your Honor knows, we represent defendant Kevin Spacey Fowler. I write to request leave to provide further information to the Court about Plaintiff's request to compel Mr. Fowler to produce documents in response to Request No. 12, which seeks documents provided to Mr. Fowler or others on his behalf from the London Metropolitan Police Force.

At the September 9, 2021 hearing, Your Honor inquired about the laws and protections under the laws of the United Kingdom that prohibit Mr. Fowler from disclosing information provided confidentially to him or his UK lawyers by the London Metropolitan Police Force. Following the hearing, Mr. Fowler's UK lawyers informed the London Metropolitan Police about Plaintiff's recent demand that Mr. Fowler produce to them materials provided to Mr. Fowler by the London Metropolitan Police Force. This unusual communication from a party being investigated to the investigating authority was done to be transparent, given Mr. Fowler could become stuck between a rock and a hard place – *i.e.*, a requested order that he produce the protected materials in this case while facing criminal and/or civil penalties under UK law if he were to do so.

The London Metropolitan Police Force responded by authoring a letter dated September 20, 2021 directed to Your Honor, which was provided to Mr. Fowler's UK counsel. We now wish to provide it to the Court, along with a further explanation of matters about which the Court inquired at the hearing. But we respectfully request the Court issue an order finding that the letter from the London Metropolitan Police Force directed to Your Honor can be filed under seal. The letter expressly states it may be shared with Plaintiff's counsel but requests it not be disseminated more broadly given it concerns a pending investigation and sensitive matters.

I corresponded with Plaintiff's counsel about the issue, and Mr. Saghir stated that Plaintiff does not oppose our request that the letter be filed under seal, provided that we provide them with an unredacted copy of it. I therefore respectfully request that the Court issue an order that the letter from the London Metropolitan Police Force and any other documents describing or discussing its

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contents (1) are to be filed under seal, and (2) will be concurrently served on Plaintiff's counsel on the condition that the letter and its contents not be disclosed or disseminated to anyone other than Plaintiff and his counsel of record.

Respectfully submitted,
KELLER/ANDERLE LLP

A handwritten signature in blue ink, appearing to read "Chase A. Scolnick".

Chase A. Scolnick

cc: Peter J. Saghir
Ben Rubinowitz
Rachel Jacobs
Michael Tremonte
Erica A. Wolff
Jennifer L. Keller
Jay P. Barron